

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KENNETH COLVIN, JR.,

Plaintiff,

Case No. 2:09-cv-96

v.

Honorable R. Allan Edgar

MICHAEL MARTIN,

Defendant.

MEMORANDUM

After a jury was impaneled and after almost a day of trial, the plaintiff decided to leave the courtroom after stating in effect that he didn't think that he was receiving a fair trial. After picking up his papers, the plaintiff then created a disturbance in the courtroom that required the Court to have him physically removed. Since plaintiff has failed to prosecute this case, this court may dismiss the case sua sponte and enter judgment for the defendant pursuant to F. Rules Civ. P. 41(b). See Link v Wabash Railroad Company, 370 US 626 (1962). It is regrettable that so much time and effort, as well as public funds, have been essentially lost as a consequence of plaintiff's actions. A judgment will enter.

SO ORDERED.

Dated: 7/26/2011

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE